

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,)
) Case No. 1:15-CR-00033-3
) (RJA) (HBS)
)
Plaintiff,)
)
vs.) September, 2022
) 9:29 a.m.
RODERICK ARRINGTON,)
)
)
Defendant.)

**TRANSCRIPT OF CONTINUATION OF
JURY TRIAL TESTIMONY OF JEROME GRANT
BEFORE THE HONORABLE RICHARD J. ARCARA
SENIOR UNITED STATES DISTRICT JUDGE**

APPEARANCES:

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09:29AM 1 (The jury entered the room at 9:29 a.m.)

09:30AM 2 THE COURT: All right, ladies and gentlemen. We will
09:30AM 3 continue. All right. Mr. Grant, put him on the stand,
09:30AM 4 please.

09:30AM 5 MR. LENIHAN: Yes.

09:31AM 6 THE COURT: Mr. Grant, I remind you you are still
09:31AM 7 under oath, sir.

09:31AM 8 THE WITNESS: Yeah.

09:31AM 9 THE COURT: Okay. Mr. Arrington.

09:31AM 10
09:31AM 11 CROSS-EXAMINATION

09:31AM 12
09:31AM 13 BY THE DEFENDANT:

09:31AM 14 Q. Is it true when you was housed at Allegany County Jail,
09:31AM 15 is it true that the federal agents was coming to the jail to
09:32AM 16 get you to transfer you to the federal building to testify
09:32AM 17 before the Grand Jury?

09:32AM 18 A. Yeah. They came and picked me up one time.

09:32AM 19 Q. Is it true during the drive, the one and a half hour
09:32AM 20 drive from Allegany County Jail, is it true that the agents
09:32AM 21 would buy you stuff on the way to the courthouse and tell you
09:32AM 22 how much or what to say when you get to the Grand Jury room,
09:32AM 23 you testify in front of the Grand Jury?

09:32AM 24 A. I don't remember that.

09:32AM 25 Q. So, your testimony here in front of the jury is that the

09:32AM 1 drive from Allegany County Jail to the federal court

09:33AM 2 building, that agents never once told you what they want you

09:33AM 3 to say to the Grand Jury or how they profess they dislikes

09:33AM 4 for Mr. Hicks and how they wanted this case to stick to

09:33AM 5 Mr. Hicks?

09:33AM 6 A. I didn't say -- I said I didn't remember.

09:33AM 7 Q. You say you don't remember?

09:33AM 8 A. Yeah.

09:33AM 9 Q. Okay. If I show you a letter, would that refresh your

09:33AM 10 recollection of the events that took place?

09:33AM 11 A. Possibly.

09:33AM 12 THE DEFENDANT: Your Honor, can I show the witness

09:34AM 13 Government Exhibit 3506UU?

09:34AM 14 BY THE DEFENDANT:

09:34AM 15 Q. Do you remember that letter you wrote to Aaron Hicks?

09:35AM 16 A. Yeah.

09:35AM 17 Q. That's your handwriting. That's the way that you sent it

09:35AM 18 to Aaron Hicks, right; same condition beside being copied?

09:35AM 19 A. Yeah, because I can't read some of these things that's on

09:35AM 20 here, but it looks -- it's definitely my handwriting.

09:35AM 21 Q. And these was questions you sent to Aaron Hicks for his

09:35AM 22 lawyer to ask you -- these questions so you can help Aaron

09:35AM 23 Hicks out in this case, correct?

09:35AM 24 A. If that's what you say this is for. Let me see.

09:35AM 25 Q. Can you read at the top what it say at the top?

09:35AM 1 THE COURT: Don't read the document. Just look at
09:35AM 2 it.

09:35AM 3 THE WITNESS: Yeah. I can see what it say a little
09:36AM 4 bit. It's a bad copy.

09:36AM 5 THE COURT: Just read it to yourself.

09:36AM 6 THE WITNESS: Yeah.

09:36AM 7 BY THE DEFENDANT:

09:36AM 8 Q. And it says, questions from my lawyer to ask Grant at
09:36AM 9 trial, correct?

09:36AM 10 A. Yeah. That's what it look like it say.

09:36AM 11 Q. And this letter was to assist Aaron Hicks through his
09:36AM 12 first proceeding, not the government, correct?

09:36AM 13 A. Yeah. It looks that way.

09:36AM 14 Q. Okay. And do you remember also stating that you have the
09:36AM 15 ace in the hole for Aaron Hicks to win, and you stated that
09:36AM 16 you do your best and you do your best very good. Can you
09:36AM 17 explain to the jury what that mean?

09:36AM 18 A. I don't even remember saying that.

09:37AM 19 THE DEFENDANT: Your Honor, can I admit Exhibit
09:37AM 20 3506VV to refresh the witness recollection?

09:37AM 21 THE COURT: Look at it. Does that refresh your
09:37AM 22 recollection, sir?

09:37AM 23 THE DEFENDANT: No. It's another letter, Your Honor,
09:37AM 24 3506VV.

09:37AM 25 THE COURT: All right. Show it to him.

09:37AM 1 BY THE DEFENDANT:

09:37AM 2 Q. Is that the letter you sent to Aaron Hicks? Besides it

09:38AM 3 being copied, is this the same letter you sent to Aaron Hicks

09:38AM 4 that day?

09:38AM 5 A. I don't know when I sent it, but I see my name on the

09:38AM 6 envelope. It looks like my handwriting.

09:38AM 7 Q. It's your handwriting, correct?

09:38AM 8 A. It looks like it.

09:38AM 9 Q. So, when you stated that you do what you do the best, and

09:38AM 10 you do it very good, can you explain to the jurors what that

09:38AM 11 mean when you sent this letter to Aaron Hicks?

09:38AM 12 A. To be honest, I don't even really remember exactly what

09:38AM 13 my thought process was during that time. So, I really

09:38AM 14 wouldn't be able to explain it to them because I don't

09:38AM 15 remember my thought process.

09:38AM 16 Q. If you read the letter, it might refresh your

09:38AM 17 recollection. Just take a minute. Let me know when you

09:38AM 18 finished reading it.

09:38AM 19 A. I don't think it is, though, because I'm looking at it.

09:38AM 20 I was reading it. Yeah. Yeah. I can't say it do refresh my

09:39AM 21 recollection. It's my handwriting. I don't necessarily

09:39AM 22 remember.

09:39AM 23 Q. So, when you state in the letter that you will make sure

09:39AM 24 Hicks diddy bop out that motherfucker. Can you explain to

09:39AM 25 the jury what that mean?

09:39AM 1 A. Again, I don't really have no recollection. I don't
09:39AM 2 really remember too much about this letter. So, if I explain
09:39AM 3 anything, I would be inaccurate.

09:39AM 4 Q. So, is it true that any letters you wrote Aaron Hicks,
09:39AM 5 you remember none of them? You authored them, you wrote
09:39AM 6 them, you sent them to this individual stating these things,
09:39AM 7 but you don't have no recollection of what these letters
09:39AM 8 mean?

09:39AM 9 A. No. That's not true that I don't remember any of them.
09:39AM 10 I might remember some of them, but I don't remember all of
09:39AM 11 them.

09:39AM 12 Q. You also stated that you don't know how shit going to end
09:40AM 13 for other niggas, but you great. What do that mean?

09:40AM 14 A. Again, I don't know.

09:40AM 15 Q. You don't know what that means --

09:40AM 16 A. I don't necessarily remember writing this letter, but
09:40AM 17 it's my handwriting. I do know that.

09:40AM 18 THE DEFENDANT: Your Honor, would I be able to admit
09:40AM 19 those letters inside evidence?

09:40AM 20 MR. LENIHAN: Objection.

09:40AM 21 THE COURT: Sustained.

09:40AM 22 BY THE DEFENDANT:

09:40AM 23 Q. Do you remember you also stated that you have some
09:40AM 24 very -- you are trying to broker a deal with some information
09:40AM 25 you have, and you wanted to clear your probation and be

09:40AM 1 released on bail, and you stated that one good deed deserves
09:40AM 2 another good deed. And the day you get this information, you
09:40AM 3 want to be released that same day. Do you remember that
09:40AM 4 letter? Remember -- will you explain to the jury what that
09:41AM 5 mean?

09:41AM 6 A. I don't remember it.

09:41AM 7 THE DEFENDANT: Your Honor, can I admit -- show the
09:41AM 8 defendant Exhibit 3506R to refresh his recollection?

09:41AM 9 THE COURT: He says it doesn't refresh his
09:41AM 10 recollection.

09:41AM 11 THE DEFENDANT: No, it's another letter Your Honor.

09:41AM 12 THE COURT: Mr. Lenihan, do you have any objection?

09:41AM 13 MR. LENIHAN: Not for refreshing recollection.

09:42AM 14 THE WITNESS: Yeah, this definitely my handwriting
09:42AM 15 but, again, this was so long ago.

09:42AM 16 BY THE DEFENDANT:

09:42AM 17 Q. So, you remember that letter you wrote to the United
09:42AM 18 States Attorney's Office to the prosecutor that was on the
09:42AM 19 case?

09:42AM 20 A. I don't remember the letter but, again, it's my
09:42AM 21 handwriting. I do -- this is my handwriting and I do
09:42AM 22 remember being housed in Rochester when I first got arrested,
09:42AM 23 but --

09:42AM 24 Q. And you wrote that letter to AUSA Burgasser, correct?

09:42AM 25 A. Yes. That's who it's addressed to.

09:42AM 1 Q. And you stated that you have some information involving a
09:42AM 2 murder, and you want to be released the same day you give
09:43AM 3 this information, correct? That's what it states in the
09:43AM 4 letter, correct?

09:43AM 5 A. I would have to read that just to make sure. Which one,
09:43AM 6 because there's two letters.

09:43AM 7 Q. They both the same, the name just redacted out of -- the
09:43AM 8 person you had information on, his name is just redacted, so
09:43AM 9 it's the same letter.

09:43AM 10 A. What is you asking did I say?

09:43AM 11 Q. I said that you stated in this letter that you trying to
09:43AM 12 broker a deal with this information you have, and you want to
09:43AM 13 clear your probation, and to be released to bail and one
09:43AM 14 deed -- you stated that one good deed deserves another. And
09:43AM 15 if you give this information to the AUSA, that you better be
09:43AM 16 released on the same day. Can you explain it to the jurors?

09:44AM 17 A. I don't even remember saying anything like -- especially
09:44AM 18 no broker no deal. I don't even see the broker no deal part
09:44AM 19 in here, so I definitely can't -- my memory is very vague.

09:44AM 20 Q. Do you remember the letter saying that you want to clear
09:44AM 21 your probation with this information about this murder? You
09:44AM 22 state in the letter, correct, that you want to clear your
09:44AM 23 probation with this information, and that you want to be
09:44AM 24 released on bail with this information you have about this
09:44AM 25 murder? Didn't you write that to the AUSA, correct?

09:44AM 1 A. I apologize that it's been so long, but --

09:44AM 2 Q. That's what the letter states though, correct? It states

09:44AM 3 in your letter.

09:44AM 4 A. I don't see that, and I know that you probably want me to

09:44AM 5 say it, but I can't, because I don't remember.

09:44AM 6 Q. So, your testimony here --

09:45AM 7 A. Is I don't remember.

09:45AM 8 Q. Your memory is vague, but you remember everything on

09:45AM 9 direct that the government asked you, you remember everything

09:45AM 10 verbatim --

09:45AM 11 THE COURT: You're arguing with the witness. Hold

09:45AM 12 it. Mr. Lenihan, do you object to this?

09:45AM 13 MR. LENIHAN: I don't. The question hasn't been

09:45AM 14 finished.

09:45AM 15 THE COURT: You're arguing with the witness. Ask him

09:45AM 16 a question.

09:45AM 17 BY THE DEFENDANT:

09:45AM 18 Q. I said that, you remember everything on direct

09:45AM 19 examination, but when it comes to you remembering your

09:45AM 20 letters that you sent to this Court and other defendants that

09:45AM 21 you don't have no recollection. You don't think it's

09:45AM 22 something wrong with that there, like --

09:45AM 23 MR. LENIHAN: Objection.

09:45AM 24 THE COURT: Sustained.

09:45AM 25

09:45AM 1 BY THE DEFENDANT:

09:45AM 2 Q. So, you don't have any recollection to these letters that
09:45AM 3 you sent to the United States Attorney's Office about these
09:45AM 4 murders that you had information on?

09:45AM 5 A. No. These ones that you shown me, no, I don't. I said
09:46AM 6 it's my handwriting. I don't remember.

09:46AM 7 Q. Did you write Aaron Hicks' lawyer Fogg a letter telling
09:46AM 8 Aaron Hicks' lawyer Fogg for him to call you as a witness for
09:46AM 9 the defense?

09:46AM 10 A. I wrote him a letter. Yes.

09:46AM 11 Q. You remember the letter? Okay. And in that letter, you
09:46AM 12 was telling Mr. Fogg that you have information about Spencer
09:46AM 13 Rogers lying to the Grand Jury, correct?

09:46AM 14 A. I would have to see the letter.

09:46AM 15 THE DEFENDANT: Your Honor, can I show the Defendant
09:46AM 16 Exhibit Number 3506QQ to refresh his recollection?

09:47AM 17 THE COURT: All right.

09:47AM 18 THE WITNESS: Okay. Yes. This is my handwriting.
09:47AM 19 Yes. Let me see.

09:47AM 20 BY THE DEFENDANT:

09:48AM 21 Q. You remember this letter? Besides being copied, this is
09:48AM 22 your letter you addressed to --

09:48AM 23 A. Yeah.

09:48AM 24 Q. -- Robert Fogg?

09:48AM 25 A. Yeah.

09:48AM 1 Q. And when you stated that Spencer Rogers is lying when he
09:48AM 2 said he was getting his drugs from Hicks, can you explain to
09:48AM 3 the jury what you mean by that?

09:48AM 4 A. Explain to the jury what I mean by Spencer is lying?

09:49AM 5 Q. Spencer is lying. Like, who did he lie to, and what was
09:49AM 6 the facts that he was lying about?

09:49AM 7 A. Well, honestly speaking, I can't -- I wasn't there with
09:49AM 8 him when he said exactly what he said, so I can't say exactly
09:49AM 9 everything that he was lying about, but I do know that he did
09:49AM 10 lie about some things.

09:49AM 11 Q. Can you explain to the jury what he lied about?

09:49AM 12 A. Mainly that he was selling me drugs. He -- I think he
09:49AM 13 was saying that he told people -- he told the agents that he
09:49AM 14 was selling me a half a kilo a week or something like that.

09:49AM 15 Q. And it was a lie?

09:49AM 16 A. Yeah.

09:49AM 17 Q. On Thursday, you testified under oath that you was a
09:49AM 18 Schuele Boys gang member, and then you testified in a sworn
09:49AM 19 affidavit that you was not a Schuele Boys gang member. Can
09:49AM 20 you explain to the jury about how this alleged Schuele Boys
09:50AM 21 gang operated that you said you were involved in, if this
09:50AM 22 gang existed as you say? Can you explain to the jury about
09:50AM 23 this gang?

09:50AM 24 A. Used to sell drugs in the Schuele area.

09:50AM 25 Q. Uh-huh.

09:50AM 1 A. That's -- what else?

09:50AM 2 Q. You say you a gang member. I want you to explain to the
09:50AM 3 jury how was you a gang member and how they operated.

09:50AM 4 A. Sell drugs in the Delevan Grider area. What else?

09:50AM 5 Q. So you explain to the jury that selling drugs in an area
09:50AM 6 makes you automatically a gang member?

09:50AM 7 A. I wouldn't say selling drugs make you automatically a
09:50AM 8 gang member.

09:50AM 9 Q. What make you a gang member? Explain to the jury what
09:50AM 10 make you a gang member.

09:50AM 11 A. I guess it was various things. Selling drugs is
09:51AM 12 definitely one of things to add to it, but it doesn't solely
09:51AM 13 make you a gang member in my opinion.

09:51AM 14 Q. You say -- said you was a Schuele Boys gang member.
09:51AM 15 Explain to the jurors what it took to be -- or for you to be
09:51AM 16 involved in -- a Schuele Boys gang member; your personal
09:51AM 17 knowledge of the things that took place.

09:51AM 18 A. Pertaining to me?

09:51AM 19 Q. Pertaining to this gang that you say you was a gang
09:51AM 20 member. I'm asking you to explain to the jurors your
09:51AM 21 involvement, your personal knowledge of this gang and how
09:51AM 22 they operated.

09:51AM 23 A. I mean, my personal knowledge is I sold drugs in that
09:51AM 24 area. I hung around with certain people that I did certain
09:51AM 25 things with people over there and, yeah, as far as I could

09:51AM 1 explain it. Maybe you could do better.

09:52AM 2 Q. So, your testimony is that you never witnessed me commit

09:52AM 3 any crimes as a part of this Schuele Boys gang member,

09:52AM 4 correct?

09:52AM 5 A. With my own two eyes, no.

09:52AM 6 Q. How do you say my role is about violence when you never

09:52AM 7 seen me commit any crimes?

09:52AM 8 A. I mean, I've been around for a while, so --

09:52AM 9 Q. Personal knowledge -- had you ever witness me commit any

09:52AM 10 crime for this alleged Schuele Boys gang?

09:52AM 11 A. And you saying seen you, right?

09:52AM 12 Q. Have you ever seen me or have any personal knowledge of

09:52AM 13 me committing any crime for the Schuele Boys gang?

09:52AM 14 A. What do you mean by personal knowledge?

09:52AM 15 Q. Things you witnessed, things you seen me doing, or seen

09:52AM 16 me doing, period.

09:53AM 17 A. Okay. So, again, you asking have I seen you do anything?

09:53AM 18 Q. Correct.

09:53AM 19 A. No.

09:53AM 20 Q. Who was the leader of this alleged Schuele Boys gang?

09:53AM 21 A. I would say you were one of them.

09:53AM 22 Q. I'm one of them?

09:53AM 23 A. Yeah.

09:53AM 24 Q. Who do these alleged Schuele Boys members pay their dues

09:53AM 25 or who collect the due payments from these Schuele Boys?

09:53AM 1 A. What due payments?

09:53AM 2 Q. You said you were a gang member. I'm asking you, you say
09:53AM 3 you a gang member. I want to know who do you pay your dues
09:53AM 4 to and who collect these dues from you as part of the gang?

09:54AM 5 A. You supposed to pay your dues to somebody?

09:54AM 6 Q. You testified that you was a gang member. I'm asking
09:54AM 7 you, sir.

09:54AM 8 A. It seem like you got the knowledge on it, though, because
09:54AM 9 you telling me something that I don't know.

09:54AM 10 Q. Hey, listen. I'm asking you a question, sir.

09:54AM 11 A. I have no knowledge on that as far as any of that.

09:54AM 12 Q. Okay. Where do these meetings take place to discuss all
09:54AM 13 the gang activity about the Schuele Boys?

09:54AM 14 A. I guess I got to ask you that question.

09:54AM 15 THE DEFENDANT: Your Honor, could you ask him to
09:54AM 16 answer the question, Your Honor? He's asking me questions.
09:54AM 17 He's not answering.

09:54AM 18 THE COURT: Do you understand the question, sir?

09:54AM 19 THE WITNESS: I mean, I understand what he's asking
09:54AM 20 me, but I don't necessarily know too much about different gang
09:54AM 21 meetings or anything like that. We have different
09:54AM 22 conversations with different people, but it's not like
09:54AM 23 everybody group up in one house and having a gang meeting.
09:55AM 24 So, it seems like he know more about it than me.

09:55AM 25

09:55AM 1 BY THE DEFENDANT:

09:55AM 2 Q. You was asked on direct by the government who side you
09:55AM 3 were on when Letorrance Travis got busted in 2011. Was that
09:55AM 4 in a friendship way or in a gang member way?

09:55AM 5 A. I would say it was in a friendship way.

09:55AM 6 Q. Okay. You testified -- this is just something you had
09:55AM 7 agreed to testify to just to get that nine levels reduced off
09:55AM 8 your 20 years you was facing, correct?

09:55AM 9 A. That's what I said? You asking me is that what I said?

09:56AM 10 Q. I said, this is just something you testified -- this is
09:56AM 11 just something you had agreed to with the government to agree
09:56AM 12 about this Schuele Boys gang just to get that nine levels
09:56AM 13 reduced off your 20 years you was facing, correct?

09:56AM 14 MR. LENIHAN: Objection.

09:56AM 15 THE COURT: Sustained.

09:56AM 16 BY THE DEFENDANT:

09:56AM 17 Q. This is purely speculation and pure conspiracy theory,
09:56AM 18 correct?

09:56AM 19 MR. LENIHAN: Objection.

09:56AM 20 THE COURT: Sustained.

09:56AM 21 BY THE DEFENDANT:

09:56AM 22 Q. You have no personal knowledge and everything you heard
09:56AM 23 and testified to came from the government and the word in the
09:56AM 24 streets correct?

09:56AM 25 MR. LENIHAN: Objection.

09:56AM 1 THE COURT: Just one second. Can you answer that,
09:56AM 2 sir.

09:56AM 3 THE WITNESS: Repeat it just so I can --

09:56AM 4 BY THE DEFENDANT:

09:56AM 5 Q. I said, you have no personal knowledge, and everything
09:56AM 6 you heard and testified to to the jury came from the
09:56AM 7 government and the word in the streets, correct?

09:57AM 8 A. No. That's not true.

09:57AM 9 Q. You know the only person from the neighborhood I used to
09:57AM 10 be with is Drew or -- I mean, on Central Park on Jewett,
09:57AM 11 correct?

09:57AM 12 A. You saying only place you used to be in the Schuele was
09:57AM 13 Drew?

09:57AM 14 Q. I said the only person that you know that I used to be
09:57AM 15 with around that area besides my little brother is Andrew, or
09:57AM 16 I would be in Central Park, correct?

09:57AM 17 A. No. That's not correct.

09:57AM 18 Q. Are you aware that in 2001, I went to Columbus, Ohio to
09:57AM 19 live for four years?

09:57AM 20 A. I know you went to Columbus, Ohio, but I don't know
09:57AM 21 exactly how long it was. I know it was during the Bonkers
09:57AM 22 trial.

09:57AM 23 Q. Okay. But before I went to Ohio, are you aware of the
09:58AM 24 incident that took place on Federal Street at Barkley's
09:58AM 25 mother house when it got broken into?

09:58AM 1 A. I remember something like that. I don't remember exactly
09:58AM 2 everything that happened, but I think, if I'm not mistaken,
09:58AM 3 y'all broke in they house or something like that.

09:58AM 4 Q. But you do remember that Barkley mom's house got broken
09:58AM 5 into, correct?

09:58AM 6 A. Yeah.

09:58AM 7 Q. Okay. And some things were stolen, and we got caught at
09:58AM 8 this incident. Do you remember this causing a major problem
09:58AM 9 in that neighborhood with Barkley and his family and Marcel
09:58AM 10 Worthy and Looper and Little Moan and Denil (phonetic)?

09:58AM 11 A. Yeah.

09:58AM 12 Q. You remember that caused an issue, correct?

09:58AM 13 A. Yeah.

09:59AM 14 Q. Okay. Okay. And so, all the names I just named is
09:59AM 15 younger kids in that neighborhood who all went to the school
09:59AM 16 West Hertel along with my sister and brother who are twins,
09:59AM 17 correct?

09:59AM 18 A. Yeah.

09:59AM 19 Q. And they all used to hang out together all day every day
09:59AM 20 on Stevens Street at Cheese grandmother house and Denil
09:59AM 21 house, correct?

09:59AM 22 A. Yeah.

09:59AM 23 Q. They were, like, about four years younger than me,
09:59AM 24 correct?

09:59AM 25 A. I guess.

09:59AM 1 Q. Okay. So, once me and my brother violated Barkley and
09:59AM 2 his mother house, this caused a serious beef between me, my
09:59AM 3 little brother, and we had beef with -- which is a serious
09:59AM 4 problem with -- Barkley, Cheese, and they friends, which
10:00AM 5 caused issues between us and hate started to develop on both
10:00AM 6 sides, correct?

10:00AM 7 A. Yeah.

10:00AM 8 Q. So, after the Barkley burglary, after the burglary of
10:00AM 9 Barkley mom house, my little brother got caught and went to
10:00AM 10 jail and I had got away, correct?

10:00AM 11 A. I guess I don't really remember exactly who went to jail
10:00AM 12 and who got away.

10:00AM 13 Q. Okay. And this is was around the year 2001 after I did
10:00AM 14 my county year for a probation violation in 2000 until April
10:00AM 15 of 2001, correct?

10:00AM 16 A. I don't know exactly if it was right when you got out of
10:00AM 17 jail or not. I don't even remember exactly. It could have
10:00AM 18 been 2001 when you got out of jail, but --

10:00AM 19 Q. Okay. So, once I came home in 2001, months later, this
10:00AM 20 happened with Barkley mom's house, correct?

10:01AM 21 A. I'm not even sure if it was in that same year, to be
10:01AM 22 honest, but it happened.

10:01AM 23 Q. Okay. And this caused beef with me, my little brother
10:01AM 24 and them guys, and this is what separated my little brother
10:01AM 25 from these guys, and they wanted us out the neighborhood,

10:01AM	1	correct?
10:01AM	2	MR. LENIHAN: Objection.
10:01AM	3	THE COURT: Sustained.
10:01AM	4	THE DEFENDANT: Can I rephrase the question, Your
10:01AM	5	Honor?
10:01AM	6	THE COURT: All right. Go ahead.
10:01AM	7	BY THE DEFENDANT:
10:01AM	8	Q. After this situation with Barkley mom house, I stayed
10:01AM	9	away from that neighborhood for a while, correct?
10:01AM	10	A. I can't say if it was because of the Barkley situation.
10:02AM	11	Q. Do you remember when we was in grammar school, you used
10:02AM	12	to come to my house on Central Park, correct?
10:02AM	13	A. Yeah.
10:02AM	14	Q. And you do remember me living in Central Park, which is a
10:02AM	15	different neighborhood than Schuele Avenue, correct?
10:02AM	16	A. Yeah.
10:02AM	17	Q. So, you can't confirm that to the jury that Central Park
10:02AM	18	is my original neighborhood, correct?
10:02AM	19	A. Yeah. I would say that, like, as far as you living in
10:02AM	20	Central Park before you was living in the Schuele area.
10:02AM	21	Q. Okay. And I also hung around Fillmore and French
10:02AM	22	neighborhood as well, correct?
10:02AM	23	A. Yeah.
10:02AM	24	Q. So, after the situation with Cheese and Barkley, I went
10:03AM	25	to Columbus, Ohio to live around 2001, correct?

10:03AM 1 A. That's not why I remember you going to Columbus, Ohio.

10:03AM 2 Q. But I went to Columbus, Ohio and lived. I moved out of

10:03AM 3 Buffalo went to Columbus Ohio, correct?

10:03AM 4 A. Yeah, but I don't think it was because of the Barkley

10:03AM 5 situation. I think it was because you -- my memory serves is

10:03AM 6 because you gave a statement on Bonkers about a murder or two

10:03AM 7 murders that he did by you getting rid of the gun and --

10:03AM 8 Q. That's not what I asked you, Your Honor. He's just

10:03AM 9 blurting things out that I never even asked him.

10:03AM 10 A. You asked about Columbus --

10:03AM 11 Q. I'm asking you --

10:03AM 12 THE REPORTER: One at a time.

10:03AM 13 BY THE DEFENDANT:

10:03AM 14 Q. What year. I asked you what year did I move to Columbus,

10:03AM 15 Ohio?

10:03AM 16 MR. LENIHAN: Objection, Judge. He's arguing with

10:03AM 17 the witness.

10:03AM 18 THE COURT: Sustained.

10:03AM 19 THE WITNESS: It was after Bonkers did them killings

10:04AM 20 and you gave that statement. You didn't want to show up for

10:04AM 21 court to testify against him.

10:04AM 22 THE DEFENDANT: Your Honor, I move to strike his

10:04AM 23 answer because it was unresponsive. He's blurting things out

10:04AM 24 that I never asked him.

10:04AM 25 MR. LENIHAN: The defendant asked the witness why he

10:04AM 1 moved to Columbus, Ohio and the witness's personal knowledge
10:04AM 2 was that it was for a different reason, including a murder of
10:04AM 3 Bonkers.

10:04AM 4 THE DEFENDANT: I didn't have anything to do with
10:04AM 5 that murder. That wasn't the question I asked him.

10:04AM 6 THE COURT: You got the answer. Ask the next
10:04AM 7 question, please.

10:04AM 8 THE DEFENDANT: This is terrible, man. This is not
10:04AM 9 fair at all.

10:04AM 10 MR. LENIHAN: Objection, Judge.

10:04AM 11 THE COURT: The jury will disregard that last comment
10:04AM 12 by Mr. Arrington. He is not testifying, folks. He's there to
10:04AM 13 ask questions.

10:04AM 14 THE DEFENDANT: And I'm asking questions, Your Honor.

10:05AM 15 THE COURT: Mr. Arrington, that's it. Ladies and
10:05AM 16 gentlemen, would you step outside, please?

10:05AM 17 (The jury left the room at 10:05 a.m.)

10:19AM 18 (The jury entered the room at 10:20 a.m.)

10:20AM 19 THE CLERK: All rise. You may be seated.

10:21AM 20 THE DEFENDANT: All right, Mr. Arrington. You may
10:21AM 21 continue.

10:21AM 22 BY THE DEFENDANT:

10:21AM 23 Q. So, when the government asked you on direct about me
10:21AM 24 offering to take a hit for you at a club, that's false,
10:21AM 25 correct?

10:21AM 1 MR. LENIHAN: Objection. That was I think -- that's
10:21AM 2 a mischaracterization of the testimony.
10:21AM 3 THE COURT: Sustained.
10:21AM 4 BY THE DEFENDANT:
10:21AM 5 Q. You only said that because this is what they wanted you
10:21AM 6 to say to complete their story, correct?
10:21AM 7 A. No.
10:21AM 8 Q. Can you tell the jury when this took place, month, year,
10:21AM 9 when I alleged asked you this question about a hit? What
10:22AM 10 year and month do you know or do you remember when this took
10:22AM 11 place?
10:22AM 12 A. I feel like I'm not 100 percent certain, but I think it
10:22AM 13 was 2013. I don't know what month.
10:22AM 14 Q. You don't know what month 2013?
10:22AM 15 A. No.
10:22AM 16 Q. No?
10:22AM 17 A. No.
10:22AM 18 Q. Do you know I was on an ankle monitor, GPS monitoring,
10:22AM 19 '13 to '14 with a curfew at 8 o'clock, I had to be in the
10:22AM 20 house. You had knowledge of that?
10:22AM 21 A. Yeah.
10:22AM 22 Q. You did?
10:22AM 23 A. Mm-hmm.
10:22AM 24 Q. But you can't tell the jurors when in 2013 I stated this
10:22AM 25 to you at a bar or a club?

10:22AM 1 MR. LENIHAN: Objection.

10:22AM 2 THE WITNESS: I wasn't --

10:22AM 3 MR. LENIHAN: That's not the testimony.

10:22AM 4 THE COURT: Sustained.

10:22AM 5 BY THE DEFENDANT:

10:22AM 6 Q. But you do have knowledge that I was on an ankle monitor

10:22AM 7 from 2013 to 2014, correct?

10:23AM 8 A. You saying the whole 2013?

10:23AM 9 Q. Yes from 2013 to 2014?

10:23AM 10 A. Whole 2013 to 2014.

10:23AM 11 Q. That's my question. Yes. Do you have any knowledge that

10:23AM 12 I was on an ankle monitor?

10:23AM 13 A. Sometime in 2013, I think it was on an ankle monitor. It

10:23AM 14 might have been '14. I don't remember exactly what year it

10:23AM 15 was.

10:23AM 16 THE DEFENDANT: No further questions Your Honor.

10:23AM 17 MR. LENIHAN: Briefly, Your Honor.

10:23AM 18

10:23AM 19 REDIRECT EXAMINATION

10:23AM 20

10:23AM 21 BY MR. LENIHAN:

10:23AM 22 Q. So, just to clear that up, your direct testimony was that

10:23AM 23 you were asked -- Mr. Arrington asked you or he was talking

10:23AM 24 about taking hits?

10:23AM 25 A. You talking about -- he asked me about -- I'm assuming he

10:23AM 1 said we was at a club or something like that and you asked me
10:23AM 2 that question.
10:23AM 3 Q. Yes. Was it at a club or was it somewhere else?
10:23AM 4 A. Well one time, he asked me was I all right at a club.
10:24AM 5 When we was venting about taking hits, it was at his mom
10:24AM 6 house on Girard.
10:24AM 7 Q. And you testified on cross-examination when he asked you
10:24AM 8 if you were all right, your perception was it was framed to
10:24AM 9 commit violence for you?
10:24AM 10 A. Yeah.
10:24AM 11 Q. Why was that?
10:24AM 12 A. Because it was rumored that that's what he do.
10:24AM 13 Q. You never -- you testified that you didn't see him
10:24AM 14 personally involved in criminal activity?
10:24AM 15 A. No, besides getting weed from him.
10:24AM 16 Q. And then did you also buy cocaine from him?
10:24AM 17 A. Yeah, an eight ball.
10:24AM 18 Q. Is that illegal?
10:24AM 19 A. Yeah.
10:24AM 20 Q. Regarding the mention of the gang, do you remember
10:24AM 21 testifying in open court that there was a gang?
10:24AM 22 A. I remember saying that.
10:24AM 23 Q. You wrote that letter to, not me, but Tim Lynch, the
10:25AM 24 letter that we discussed on cross-examination?
10:25AM 25 A. Yeah.

10:25AM 1 Q. It's a pretty -- what's your opinion of that letter?

10:25AM 2 A. I mean, I was frustrated.

10:25AM 3 Q. Why were you frustrated?

10:25AM 4 A. Because I felt like they was playing with me.

10:25AM 5 Q. Why was that?

10:25AM 6 A. Because I was still in jail.

10:25AM 7 Q. And did -- had you testified at other proceedings?

10:25AM 8 A. Yeah.

10:25AM 9 Q. As the government, do we have the authority to release
10 you?

10:25AM 11 A. To my knowledge, no.

10:25AM 12 Q. Who has the authority to release you?

10:25AM 13 A. The Judge.

10:25AM 14 Q. Who ultimately released you?

10:26AM 15 A. Pardon me?

10:26AM 16 Q. Who ultimately released you?

10:26AM 17 A. The Judge.

10:26AM 18 Q. And your cooperation, does it have to be truthful?

10:26AM 19 A. Yeah, to the best of my knowledge.

10:26AM 20 Q. And, to your knowledge, did the Judge take that into
21 consideration?

10:26AM 22 THE DEFENDANT: Objection, Your Honor.

10:26AM 23 THE COURT: Sustained.

10:26AM 24 BY MR. LENIHAN:

10:26AM 25 Q. When is the first time you and I met?

10:26AM 1 A. Some time this year.

10:26AM 2 Q. Was that prior to you testifying on this stand?

10:26AM 3 A. Yeah.

10:26AM 4 Q. And did -- what was the nature of us meeting?

10:26AM 5 A. You came down to Atlanta and gave me a subpoena.

10:26AM 6 Q. And did I ask you questions?

10:26AM 7 A. I don't remember you asking me no questions that day.

10:26AM 8 No. I don't think so.

10:26AM 9 Q. Prior to you testifying, did I ask you questions?

10:26AM 10 A. No.

10:26AM 11 Q. Did I ever tell you what to say?

10:27AM 12 A. No.

10:27AM 13 Q. Regarding Spencer Rogers, did you ever take a look at his

10:27AM 14 Grand Jury material?

10:27AM 15 A. What you mean?

10:27AM 16 Q. Do you know if he testified in front of the Grand Jury or

10:27AM 17 not?

10:27AM 18 A. He told me he did, but as far as seeing it, no, I didn't

10:27AM 19 see it.

10:27AM 20 Q. You wrote a bunch of letters to Aaron Hicks?

10:27AM 21 A. Yeah.

10:27AM 22 Q. Why were you writing letters to Aaron Hicks?

10:27AM 23 A. Well, various reasons. One of them was because it was --

10:27AM 24 I was -- it was -- I was having a little problem in the

10:27AM 25 counties.

10:27AM 1 Q. Can you describe that?

10:27AM 2 A. People was knowing that I was cooperating and they would,
10:27AM 3 like, say things. So, I figure, like, if I write him, maybe
10:27AM 4 it will make it a little smoother. I won't have so many
10:27AM 5 problems.

10:27AM 6 THE DEFENDANT: Objection, Your Honor. He said he
10:28AM 7 don't remember the letters he wrote to Aaron Hicks on cross-
10:28AM 8 examination. Now, he's having recollection on direct.

10:28AM 9 THE COURT: Overruled.

10:28AM 10 BY MR. LENIHAN:

10:28AM 11 Q. So, what's the purpose of trying to smooth things over
10:28AM 12 with Aaron Hicks?

10:28AM 13 A. Just so it would be a little more peaceful for me.

10:28AM 14 Q. And would you consider Aaron Hicks one of the leaders of
10:28AM 15 the Schuele Boys?

10:28AM 16 A. Yeah, I would.

10:28AM 17 Q. You testified on cross-examination that the Schuele Boys
10:28AM 18 were engaged in drug dealing?

10:28AM 19 A. Yeah.

10:28AM 20 Q. And you mentioned other things?

10:28AM 21 A. Yeah.

10:28AM 22 Q. What other things?

10:28AM 23 A. Some violence.

10:28AM 24 Q. What's your understanding as to the incident that the
10:28AM 25 defendant was asking about with Barkley's mother?

10:28AM 1 A. I think they, like, robbed they house or something like
10:28AM 2 that, maybe thinking it was some drugs there or something,
10:29AM 3 and I don't know what they got, but somebody went to jail
10:29AM 4 behind it.

10:29AM 5 Q. What's your understanding as to who was committing the
10:29AM 6 violence for the Schuele Boys?

10:29AM 7 A. It was a few people, but Rah Rah was one of them.

10:29AM 8 Q. You mentioned that he went to Columbus, Ohio in about
10:29AM 9 2001?

10:29AM 10 A. Yeah.

10:29AM 11 Q. What's your understanding as to why he went to Columbus,
10:29AM 12 Ohio?

10:29AM 13 A. Because Bonkers had killed --

10:29AM 14 THE DEFENDANT: Objection, Your Honor.

10:29AM 15 THE WITNESS: -- two people.

10:29AM 16 THE COURT: Overruled.

10:29AM 17 THE WITNESS: With his gun and homicide was coming
10:29AM 18 around. They was -- they end up grabbing Roderick, Rah Rah.
10:29AM 19 He gave them a statement saying that he sold the gun to
10:29AM 20 somebody. They subpoenaed him in court for Bonkers trial and
10:30AM 21 he went to Columbus because he didn't want to testify.

10:30AM 22 MR. LENIHAN: No further questions.

10:30AM 23 THE DEFENDANT: Your Honor, can I?

10:30AM 24 THE COURT: All right.

10:30AM 25

10:30AM

1

RECROSS-EXAMINATION

10:30AM

2

10:30AM

3

BY THE DEFENDANT:

10:30AM

4

Q. You stated that you just testified to the Grand Jury that

10:30AM

5

I gave Bonkers a gun, it was my gun, and I sold this gun?

10:30AM

6

A. Yeah. You owned -- I never said you gave Bonkers the

10:30AM

7

gun. The gun was at Eric and them house. But when Bonkers

10:30AM

8

took it back to the house, you took it from the house and

10:30AM

9

that's what tied you to the homicide.

10:30AM

10

Q. Where do you get this information from?

10:30AM

11

A. You.

10:30AM

12

Q. What you mean you got the information from me?

10:30AM

13

A. Yeah. You told me.

10:30AM

14

Q. I told you this information?

10:30AM

15

A. Yeah.

10:30AM

16

THE DEFENDANT: No further questions, Your Honor.

10:30AM

17

THE COURT: All right. The witness is excused.

10:30AM

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(The witness left the room at 10:30 a.m.)

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* * * * *

I certify that the foregoing is a
correct transcription of the proceedings
recorded by me in this matter.

s/ Megan E. Pelka, RPR

Official Court Reporter